



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:	Darin Trees	)		
		)		
For:	Therapeutic Exercise Device	)	Conf. No.	6098
		)		
Serial No.:	10/695,117	)	Art Unit:	3764
		)		
Filed:	October 28, 2003	)	Examiner:	Lori Baker Amerson

**AMENDMENT/RESPONSE TO OFFICE ACTION**

December 18, 2008

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

OK TO ENTER: /LBA/ (02/02/2009)

To Whom It May Concern:

This is in response to the Office Action mailed on December 3, 2008. Claims 1-20 are pending in the application. Claims 1 and 4-9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,638,793 of Therkorn in view of U.S. Patent No. 6,645,130 of Webber. Claims 10-20 have been allowed, and objection has been raised to claims 2 and 3 as being dependent on a rejected base claim. Applicant has amended claim 1 (and by dependency therefrom, claims 3-9) to incorporate the limitations of claim 2, and he has consequently cancelled claim 2. Applicant believes that this amendment places all remaining claims in the application in condition for allowance; consequently, he respectfully requests reconsideration of the application in view of such amendment.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Darin Trees )  
)  
For: Therapeutic Exercise Device ) Conf. No. 6098  
)  
Serial No.: 10/695,117 ) Art Unit: 3764  
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Filed: October 28, 2003 ) Examiner: Lori Baker Amerson

## AMENDMENT/RESPONSE TO OFFICE ACTION

December 18, 2008

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Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

To Whom It May Concern:

Enclosed is an Amendment/Response to the Office Action which was mailed on December 3, 2008 in connection with the application identified above, along with a postcard receipt addressed to Applicant's attorney. Please file the Amendment/Response, mark the postcard with the date of receipt and return it to the undersigned attorney. Thank you for your cooperation.

Sincerely,

David J. Hill  
Attorney for Applicant  
(Registration No. 28427)  
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## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with postage prepaid in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on December 18, 2008.

Donna Guy  
Date of Signature: December 18, 2008